

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 09/887,153

REMARKS

Claims 1-7 are all the claims pending in the application.

Claims 1 and 5 stand rejected under 35 U.S.C. 102(e) as being anticipated by USP 5,923,736 to Shachar. Claims 2-4 and 6 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Shachar in view of USP 6,336,137 to Lee et al. Applicants respectfully traverse the rejections, and request reconsideration and allowance of the claims in view of the following arguments.

Claim 1 of the present application recites a method of managing the operation of a mobile telephone in a telecommunications network, wherein a "preferred" mobile terminal operating mode is selected for implementing a service by incorporating a preferred mode selection instruction in the sequence of instructions for the service data page giving access to the service. However, in the primary reference, the selection of operating mode requires a user's input through input devices.

Specifically, Shachar provides an integrated telephone device for performing telephone and data communication functions. The Shachar integrated telephone comprises a voice communications interface and a data communications interface, and can switch between data communication network and normal telephone (Shachar, col. 5, lines 50-58; and col. 8, lines 46-49). However, to switch the Shachar integrated telephone to a data communication mode, a user needs to select a hyperlink; and to switch it from data communication mode to telephone mode, a dialing procedure needs to be invoked (Schachar, col. 9, lines 50-52; and col. 11, lines 24-36). Thus, Shachar fails to disclose selecting a preferred mobile terminal operating mode by

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incorporating a preferred mode selection instruction in the sequence of instruction for the service data page.

Lee does not supply any of Shachar's deficiencies. Lee is related to a client-server method and system where various clients that use different markup languages may use the same server. Although Lee mentions accessing portal applications through wireless communication, mobile telephony and Internet, it fails to teach or suggest the preferred mobile terminal operating mode, or selecting the preferred mobile terminal operating mode by incorporating a preferred mode selection instruction in a sequence of instructions for the service data page.

Accordingly, Applicants respectfully submit that claim 1 and its dependent claims 2-6 are patentable.

The newly added independent claim 7 also recites selecting a preferred mobile terminal operating mode by incorporating a preferred mode selection instruction in the sequence of instructions for the service data page. Thus, claim 7 is patentable at least for the same reasons as those for claims 1-5.

Claim 7 further recites selecting a preferred mobile terminal operating mode for implementing service related to the other operating mode, so that the mobile terminal does not leave the preferred mobile terminal operating mode during implementing of the service. In Shachar, the telephone can switch between data communication mode and telephone mode. However, as discussed above, to switch the Schachar integrated telephone to a data communication mode, a user needs to select a hyperlink. Accordingly, the Schachar integrated telephone leaves the telephone mode. In addition, to switch the Schachar integrated telephone

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from data communication mode to telephone mode, a dialing procedure needs to be invoked. Consequently, the Schachar integrated telephone leaves the data communication mode. Thus, Shachar fails to teach keeping operating in the preferred operating mode while providing service related to the other mode. Nor does Lee teach or suggest this feature. Accordingly, Applicants respectfully submit that claim 7 is patentable for this additional reason as well.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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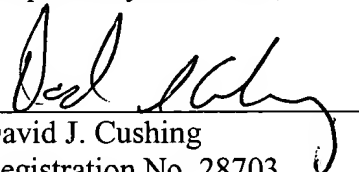
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